

10-11-1984

Woolsack 1984 volume 25 number 2

University of San Diego School of Law Student Bar Association

Follow this and additional works at: <http://digital.sandiego.edu/woolsack>



Part of the [Law Commons](#)

Digital USD Citation

University of San Diego School of Law Student Bar Association, "Woolsack 1984 volume 25 number 2" (1984). *Newspaper, The Woolsack (1963-1987)*. 156.

<http://digital.sandiego.edu/woolsack/156>

This Book is brought to you for free and open access by the Law Student Publications at Digital USD. It has been accepted for inclusion in Newspaper, The Woolsack (1963-1987) by an authorized administrator of Digital USD. For more information, please contact digital@sandiego.edu.

The Moolsack

Volume 24, Issue 2

University of San Diego Law Student Publication

October 11, 1984

October 18

Supreme Court Justice Stevens Here

By Scott Dreher
Editor in Chief

United States Supreme Court Associate Justice John Paul Stevens will be the speaker for the first Nathaniel L. Nathanson Memorial Lecture Series at the University of San Diego School of Law.

Mr. Justice Stevens will talk on the subject of **Judicial Restraint**. He has been an advocate of the proper role of the Supreme Court vis a vis states' rights.

"Justice Stevens' coming to USD is an important event for the law school," said law school Dean Sheldon Krantz, "in that it reflects on USD's place as part of the top tier of law schools."

Stevens was a student of Prof. Nathanson, and seems an especially

appropriate choice for the inaugural lecture, because one of Nathanson's primary interests was the area of judicial activism. (see accompanying stories, page 5).

"The Nathaniel Nathanson Memorial Lecture Series will become a prestigious event," Krantz continued. "We see the lecture series as providing a great opportunity to bring outstanding people to the law school."

"Nat talked often of the roles of the Supreme Court Justices, and was extremely interested and well-versed in the areas of administrative and Constitutional law. Justice Stevens is certainly an eminent authority on those subjects," he added.

"Professor Nathanson had a way that few teachers have," said Judge

Louis Welsh, who is Director of Alternatives to Litigation at the USD Law Center, and Arrangements Chairman for Justice Stevens' visit. "He was a loving kind of person, and a dear human, and truly cared for his students and their learning. His goal was to help each student bring from within himself what that student had to offer."

Justice Stevens was born, raised, and educated in Chicago, and received his Juris Doctor, magna cum laude, from Northwestern University School of Law in 1947. He was co-editor of the Illinois Law Review and a member of the Order of the Coif. Following a clerkship with U.S. Supreme Court Justice Wiley Rutledge, he was admitted to the Illinois Bar in 1949 and practiced law in

Chicago until 1970. From 1950 to 1954 he taught Antitrust Law at Northwestern and at the University of Chicago from 1955 to 1958.

President Richard M. Nixon nominated Justice Stevens to the U.S. Court of Appeals for the Seventh Circuit where he served from 1970 until his nomination to the Supreme Court by President Gerald Ford in 1975.

Justice Stevens is the author of a number of legal writings, and this lecture will be published in **The San Diego Law Review**.

The program begins at 7:00 p.m. in USD's Douglas F. Manchester Executive Conference Center Auditorium. Opening the program will be law school Dean Sheldon Krantz, and Kenneth Culp Davis, Disting-

uished Professor of Law at USD and chairman of the Nathanson Lecture Series Speaker Selection Committee. A reception follows.

Other members of the selection committee include prof. Carl A. Auerbach, the Hon. Carl McGowan, Mrs. Nathaniel (Leah) Nathanson, Prof. Willard H. Pedrick, and the Hon. W. Willard Wirtz.

The Nathanson Memorial Lecture Series at U.S.D. School of Law was established in 1984 to honor this esteemed law professor who devoted his life to the law and legal education. The lecture series is intended to bring distinguished speakers to the University of San Diego to discuss issues of national significance.

(See related stories, page 5)



L-R: Law School Dean Sheldon Krantz, Attorney General Van de Kamp, Judge Robert Coates. See Story, Page 10.

Final Campaign Push

Simmons: "Victory Possible"

By Scott Dreher
Editor in Chief

"It's cowardice, really, and not only is it bad for me, but it's even worse for the voters," says Bob Simmons, USD Law Professor and candidate for Congress from the 41st District. "Bill Lowery, my opponent, has been running away and hiding. He has had twelve invitations to debates, sponsored by such community organizations as the Kiwanis Club, and he has simply refused to choose a time and a place."

But despite obstacles such as these, Simmons has planned a campaign blitz for October and early November, leading up to the election, with several direct mailings, radio spots on three stations, and television advertisements.

Adding to the blitz will be continued precinct walks, along with distribution of handbills and pam-

phlets. And Simmons' speaking and appearance schedule is virtually jammed through election day.

"There has been just no media pressure on Bill Lowery to meet me for a debate," continues Simmons. "Of course the challengers suffer, because we don't get to present ourselves to the public in a proper forum. The media is cheating the voters."

Although the lack of media attention has certainly not helped Simmons' efforts, he is determined to overcome the adversity. He worries more, however, about how the public is being hurt.

"People don't get to compare programs, issues, that involve San Diego. Oil drilling. The E.R.A. Budget deficits. It's frustrating for me. I've spent a lot of time studying and working on special programs (See box, page 3) which will improve things for us all. The challenge for the campaign now is to try and present the voters with their options in spite of the lack of media concern."

Simmons claims that if people are properly presented with the two alternatives to this year's 41st District Congressional election, the choice is obvious.

"Bill Lowery is an embarrassment to the people of the 41st District. He blatantly peddles his wares, his votes, to the highest bidder, and doesn't even make a pretense of deciding issues on their merits," says Simmons.

The challenger cites an example. Rep Lowery has received \$87,000.00 in campaign money from 57 different banks around the nation, including major banks in Chicago, Florida, and the East Coast. "Why?" asks Simmons. "Because he's on the Banking Committee in Congress. He has sponsored 22 bills relating to banks, and all of them have profited the banks."

A topic of recent interest in Simmons' campaign concerns the complaint Simmons recently filed with the F.E.C. charging that Rep. Lowery "laundered money" to his campaign.

"Bill Lowery is an embarrassment to the people of the 41st"

(continued on page 11)

USD's Regulatory Law Reporter Cited By Court

A recent California Fifth District Court of Appeal decision extensively quoted a feature article which appeared in the *California Regulatory Law Reporter*, a publication of USD law school's Center for Public Interest Law.

The article, a critique of California's New Motor Vehicle Board, was written by David Robertson while he was a student intern in the Center.

In *Toyota of Visalia, Inc. v. Department of Motor Vehicles*, 155 Cal.App.3d 315 (1984), the court noted that the article provides "insight into the background behind creation of the Board," a central issue in the case and one of first impression.

Students interested in administrative and regulatory law are eligible for acceptance in the Center for Public Interest Law beginning with their second year.

The Center's California Administrative Law and Practice course gives students the opportunity to actively participate in state regulatory law and contribute articles to the *California Regulatory Law Report*. Taught by Professor Robert Fellmeth, the four-unit course requires a year-long commitment. Student interns monitor two state regulatory agencies by

attending and reporting on agency meetings held throughout the state.

Upon completion of the course, students are expected to continue in the Center through their third year to work on a major advocacy project they have selected regarding their agency. The written work requirement can be satisfied through the Center. Student papers of publishable quality may appear as feature articles in the *Reporter*. Reporter articles are highly regarded by those practicing in the regulatory and administrative law areas and by governmental officials. Additionally, feature articles, such as former student Bert Guerra's "A Case of Inevitable Inaction: CDEA's Conflicting Agriculture Promotion vs. Pesticide Regulation Mandate," often have influenced implementation of legislative and other governmental action.

Current third-year projects made possible the Center include in-depth studies of the Office of Administrative Law, Water Resources Control Board, Public Utilities Commission regulation of utility advertising, and the relationship between public and trade members in state regulatory agencies.

One student is proposing creation (continued on page 11)

Inside:

Bankruptcy Law	
Challenged	11
Student Interview	10
Attorney General	
Van de Kamp	10
Campers' Notes	8
Ralph Nader	6
PAD Notes	6
M.U.S.L.L.	5

The Moolsack

University of San Diego School of Law
San Diego, CA 92110

NON PROFIT ORG.
U.S. Postage
PAID
San Diego, CA
Permit No. 365

From The Editor:

Government,
Not Politics

By Scott Dreher, Editor in Chief

Isn't anyone sick of it yet? The whole political mess. I mean, it's no wonder nobody wants to vote anymore.

Who is there to vote for?

The Democrats' whole theme this year was to vote *against* Ronald Reagan. This to me seems the wrong way to go about getting voters to the polls. Shouldn't they instead offer us something positive? Almost as an afterthought they offer Walter Mondale. But presidential elections have been a lesser-of-two-evils coin flip for years.

Now it's spread to San Diego. Dick Carlson strikes many people as a bumbling silly idiot, while Mayor Hedgecock is somewhat less than appealing. Voters must resign themselves to electing that candidate who offends least.

What's more it is election time and strangely enough one doesn't hear the word "government" used very often. I hear instead talk of politicians, and politics. So if we do vote, it's *for a politician*, not a "governor", or "legislator" or, hope against hope, a "leader".

Roger Hedgecock originally struck me as a good mayor. Young, bright, concerned to do his best for San Diego. It all sounds a bit hollow after the past year's revelations. Hedgecock is no better than the rest, just another politician, devious and caught in his own tricks.

And Bill Lowery. He doesn't even pretend to be a legislator, because he's too busy running for office, counting his P.A.C. money and auctioning his votes.

Our congressmen have always behaved differently around election time, as they do now. Suddenly, certain bills and actions were postponed until after November. It was speculation on our parts that they were avoiding the sensitive political issues until after the election. But we got no confirmation of this from the culprits. That is, up until a few years ago.

Now, fearing the wrath of voters so little, our congressmen come right out and *tell* us that they are avoiding issues until after the election. Open and Honest?

Why the change?

Sure, politics does have its place. Compromises and deals must be made in order to get things done, and that's fine. However, when it's politics for politics' sake, when the games are played and no-one wins, nothing is achieved and it's time to call it quits. Maybe the voters should quit, as many have. Maybe we should quit the system and get a new one.

How can we put a stop to it? One single term of six years for each and every office holder, no re-election to anything allowed? That brings a host of new problems, although solving the problems of the campaigning office holder.

And our present politicians certainly aren't going to support a proposal which cuts off their heads and destroys their livelihoods.

The way to change things is for voters to elect people who are capable of putting government ahead of politicking.

It seems to me we can start with Bob Simmons. He really believes he can overcome the politics and put some government back into our republic. And he has the ideas and proposals to back him up.

Simmons, along with people like Assemblywoman Lucy Killea and Councilman Mike Gotch, possesses a certain idealistic energy that lends itself to hard work. It is an idealism we all possessed when we first entered law school.

Here's hoping they remain idealistic, because Simmons will work hard, and refuse to allow himself to succumb to the political fallout blanketing the nation like smog. That political fallout is more dangerous to us than any nuclear fallout.

It's sad when people won't spend thirty seconds to involve themselves in a major election which will drastically affect their lives. And why? Something in our system has devalued elections. Maybe because so often there is nothing to vote for.

We've spent so much blood and sweat winning the right to vote. Give it one more chance, and vote for Bob Simmons.

WOOL-SACK. The seat of the Lord Chancellor of England in the House of Lords, being a large square bag of wool, without back or arms, covered with a red cloth. — *Black's Law Dictionary*

NEXT . Thurs., Nov. 15
ISSUE · Copy Due; Nov. 7



The Woolzack

EDITOR-IN-CHIEF — Scott Dreher
Managing Editor — Bruce Rorty
Assistant Editor — Roy Santonili
Sports Editor — Dick Semerdjian

Staff Writers — Ralph Botros
Julie Cardenas
Reilly Atkinson
Carmen Naranjo
Steve Cowen

The views expressed herein are those of the Editorial Board or of its by-lined reporters and contributors, and do not necessarily reflect those of the student body, faculty, or administration unless otherwise specifically stated, excluding staff.

Published by the students of the
UNIVERSITY OF SAN DIEGO SCHOOL OF LAW
Telephone 291-6480, Ext. 4343

President's Report

SBA Uses Cuisinart

New Student-Loan Bill Nears Passage

By Sue Bridenbaugh
SBA President

Where Dear Abby advises and Buckley's column lambasts, this column will rely on the Cuisinart approach to journalism — the style found most appropriate for law school newspapers when several different items are all placed together in one article and tossed lightly.

The first such item concerns the addition of the newly-elected class representatives to the SBA. After some fairly fierce competition at the polls, Doug Friednash, Mike Kaplan, Sue Melton and Richard Vattuone won the first year posts; Rose Burgos, Rob Johnson and Kathryn Rubi became the second year representatives; and Dave Cohen and Mark Lester walked away with the third year positions.

The board wanted to take advantage of the enthusiasm found in most newly-elected people before realism about the position sets in, so the hapless reps were congratulated quickly and then plunged into that most thankless of jobs... the budget meeting. If the representatives did not get the immediate post-election praise they deserved, the following plug should help.

Treasurer Lee Drizin orchestrated an amazing week of budget request forms and preliminary review meetings. It ended Saturday when he led the Board and zealous representatives to a relatively speedy and most equitable allotment of \$14,000 from over \$27,000 worth of requests, while I grappled with parliamentary procedure. Lee also tried to remind all of those groups receiving funds to turn in the correct check reimbursement forms to him, so I will take time right now

to remind those groups again. You know who you are.

Jumping now to item three: things the SBA has/is/and will be doing. For example, we have been working with Dean Krantz in an attempt to get the students heard. So far, this has included interviewing students for the various student-faculty committees (which proved very successful, thanks to the large number of interested, qualified students who showed up), and setting up student meetings with the Dean. One of those meetings sought, and got, student input as to the graduation speaker selected for this year, and the other was a very successful "Issues and Answers" session aimed at helping target the law school's budget requests for the University's budget meeting.

Typewriters have received a lot of attention lately, ranging from getting the Hearsay staff a new Pica Elite ball, to working on providing the law library with new IBM typewriters and accompanying anti-abuse measures. Speakers have also been a big priority. After co-hosting a reception with the Alumni Association before Attorney General Van de Kamp's speech, the SBA is ready for the big time: hosting a speaker and a reception! Presently in the works are a career symposium and a "cocktail hour with a distinguished professor", both to take place within the next few weeks. And, of course, there is the Halloween party, which requires no further description in this planning stage (actually, it is probably more accurate to say the party generally defies description).

Item four in the Cuisinart approach is essentially a public service announcement. There was a

very interesting speech at the ABA summer meeting about the Student Loan Consolidation Act. In part because my own pending graduation made this bill important to me, and in part because I wanted to write about "Fanny May," I decided to check on its legislative progress.

In a nutshell, this bill proposes to consolidate student loans that become due after a six month post-graduation grace period, initially extending the repayment period to 11½ years. Four months after graduation, a student's total debt is calculated, and the decision to extend repayment is based upon that person's current salary. If the student's yearly income is less than two times the total loan debt, the student qualifies. Then Sally May pays the consolidated lender. A second "needs reassessment" is done 3½ years after graduation, using the same 2:1 ratio. If the student is still making less than twice his debt, the repayment period can be extended to up to twenty years.

This bill has already passed in the House (HR4350), but as S2491, it has been kept waiting on the Senate calendar since May 23, 1984. Stay tuned for what should be good news on its outcome.

This column's last item brings back the reality of law school, but also helps plan for that much needed winter break. The administration has been working hard to get final exam schedules out as early as they can, with an eye toward ultimately coordinating them with registration materials. That objective has not yet been met, but the schedules are now available in Records.

HAPPY HALLOWEEN.

Commentary:

School Prayer — What's All The Fuss?

By Roy Santonili
Assistant Editor

Liberal thinkers have "no quarrel" with the traditional values of home, family, hard work, and justice (See *The Woolzack*, "Public Prayer Not the Answer," Sept. 13, 1984, p. 2). What amazes me is how greatly the specific values of faith and prayer are perceived as "threats" to American education. Alarmists shriek "wall of separation, wall of separation" whenever the public school prayer issue is raised. Opponents of President Reagan's proposed Equal Access Law envision a world where fanatical Bible-Thumpers or Moonies would be persuading our kids to

(gasp!) believe in God. Of course, it is argued, we must protect the atheists too, for fear of coercion. Imagine (shudder) studying the Pauline letters under duress. I still wonder whether there's a legitimate difference between one who doesn't believe in God, and one who *won't* believe in God.

Critics of voluntary school prayer have stated "prayer and faith won't make problems go away." They don't purport to. Prayer and faith provide a private, spiritual dimension in one's life; a foundation, upon which one may build values and morals. This foundation doesn't promise to make problems go away. Prayer and faith are reliance on a promise of life.

Liberals contend that the President "looks backwards," — and must "face the problems of the 80's." Life's problems are always there, but to call the President's position "mere idealism" is sheer hypocrisy. The hypocrisy lies in having no quarrel with the ideals (i.e., family, home justice) while at the same time fighting the practical evidence of the attainment of these ideals: faith, prayer, and devotion. Prayer and faith foster a reliance on the Spirit for strength and endurance. This is practical. On the other hand, recognizing the problems of family and society, but offer-

ing no guiding principle or solution as an alternative is, not only idealism, it is pharisaic.

School has always been a place to nurture the mind and body. Churches and Temples have become the primary caretakers of the Spirit. The Equal Access Law, I believe, would have a practical impact on the existing value-schism between schools and churches. This is far from idealism. Rather than ignoring their spirituality for five days a week, and praying once a week (if at all), students who *value* the communion of mind, body, and spirit will have *voluntary* access to the school building, after school hours, much like the French club or Chess club. The purpose: reflecting on the very core of one's values, sharing views in an edifying manner. This is the essence of the President's position. This is the so-called "threat" to education which liberal critics cannot contend with. This is the simple opening of school doors to the seed of faith.

Family and home values have, indeed, been strongly influenced by the public school system. Unfortunately, drug abuse and alcoholism are, more than ever, providing the only spirits for high schoolers today. While lawyers continue to lay bricks in the wall of separation between

(continued on page 11)

Alumni News

Stevens, Directory, Elections On Tap

Justice Stevens to hold student forum

On Friday, October 19, Justice Stevens will hold a session exclusively for Law Students from 10:30 to noon in the Fletcher Lecture Center. No sign-ups needed. Let's have a good turn out!

Attention: Third Year Students!

SIGN UP NOW!!!! It's not too early to start thinking about YOUR GRADUATION PARTY!!! Contact Libby Stroube in the Alumni Office for information.

Alumni Directory is coming

The first informational card for the Summer 1985 USD Law School Alumni Directory will be mailed to you soon. Please take the time to fill it out so that you will be listed correctly when classmates and colleagues look you up. You will be contacted in the spring regarding placing orders for the book.

Alumni Board Election

Watch your mail for your ballot for the election of new members to the USD Law Alumni Association Board of Directors. There are seven slots up for election with some current members running for re-election and a number of other alumni running for the first time. Deadline for postmarks on the ballots is November 1.

Student seating for Justice Stevens

A lottery will be conducted for student seating for Justice Stevens' lecture on October 18. The lecture will be held in the Manchester Conference Center which has limited capacity. (The University's theater has a production that night, that's why.) Pick up a card in the Dean's Office and put it in the box for that purpose. The drawing will be held and a list posted, plus a wait list. Details will be posted in the Writs, Dean's Office, Records.

A few ushers will be needed that evening also, from 6:15 through the evenings conclusion. See Barbara Meldelson in Rm. 205.

Law Alumni Plan 2nd Phonathon

by Michael Pfeiffer
Student Representative to the
Alumni Board of Directors

The USD Law Alumni Board of Directors has planned the Second Annual phonathon for October 23 and 24th. This phonathon is directed towards USD Law School alumni living in California outside of San Diego County. It is hoped that 300 alumni will be contacted over the two days.

Last April, the first phonathon proved to be a great success. With the help of 30 law student volunteers and some members of the Board of Directors, approximately 300 alumni were

contacted, primarily in San Diego county, with the fundraising effort raising in excess of \$5,600 to date.

The law students had a great time participating in the phonathon. Every student was invited to join in a delicious dinner and everyone left with a USD memento. In addition, the two top student callers received a free Bar-Bri or BRC skills course. Also, various gifts were given during the phonathon.

This phonathon is especially important because it is the final year of the Irvine Challenge. After we match last year's fundraising total, the Irvine Foundation will match

dollar-for-dollar all of the increases we receive. In addition, for each new donor, the Foundation will contribute an additional \$25 bonus to the Law School.

The funds collected during the law school's fundraising efforts go directly to the Law School. These funds are used for student aid, faculty recruitment and research, library acquisitions, student programming, renovation of existing facilities, and other emergency needs which occur.

All students and alumni who would like to participate in this year's phonathon should sign up in Room 203H in the Law School, or call 260-4600 ext. 4373 or 4349.

Seminar at USD

Deep-Pocket Defendants

The University of San Diego Office of Trusts and Estates, along with the San Diego County Bar Association and the California Society of Certified Public Accountants, San Diego Chapter of Attorney/Accountant Relations Committees, is presenting a seminar entitled **IN SEARCH OF THE DEEP POCKET: ATTORNEYS AND ACCOUNTANTS AS DEFENDANTS**.

"As litigation expands, attorneys and accountants find themselves enjoying no immunity from this nationwide trend. Closer to home, professionals have been named as defendants in numerous lawsuits," said the Office of Trusts and Estates. "As losses mount and funds disappear, 'victims' look to their professional advisors as both scapegoats and deep pockets. This seminar will address avoiding and surviving litigation against attorneys and

accountants."

The seminar is scheduled for October 15, 1984, from 4:00 p.m. until 7:00 p.m. in Salomon Lecture Hall in the DeSales Hall Building at the University of San Diego.

Featured Speakers include Anthony J. Sinclitto III, Lawyer and Partner, Gibson, Dunn & Crutcher, San Diego, on the topics of "Accounting Malpractice: Causes and Cures"; Vincent E. Benstead, C.P.A. and Partner at Price, Waterhouse, San Diego, on "Accountants' Liability in Turbulent Times"; and

David J. Daniels, attorney and Partner, Ault, Midlam and Deuprey, San Diego.

A question and answer session follows the program, with a reception immediately afterwards, including a no-host bar.

Space is limited and an RSVP is required. Contact Price Waterhouse at (619) 231-1200. There is no charge for the seminar, and reservations will be accepted on a first-come, first served basis.

—S.D.

Bob Simmons' Proposals: The Budget.

Point one - Freeze federal hiring immediately.

Point two - Enact the "Federal Income Tax Reform" measure. Simmons supports the Bradley-Gephardt "Fair Flat Rate Tax" proposal. Passage would increase revenues by \$14-15 billion annually. This bill will close corporate tax loopholes and simplify returns for all taxpayers.

Point three - Enact the "Federal Taxpayer Absolution Act," following passage of Bradley-Gephardt. This program is similar to the widely-praised tax forgiveness program in Massachusetts which produced \$30 million in one year. Experts feel that this proposal will produce \$30-40 billion nationally in one year. All of this money is to be ap-

plied to the federal debt.

Point four - Adopt a "Pay-As-You-Go" federal budget plan. Simply speaking, this program would require that sufficient federal revenue be identified and available before spending can occur. It is based on the Miller Act of 1983.

Point five - Enact the "Defense Procurement Cost Accountability Act." Defense contractors are currently guaranteed profit no matter how incompetent, wasteful or extravagant they are. This act would provide "buyer protection" for United States taxpayers.

This program will also create the position of Pentagon Spending Chief, with the ability to cut billions of dollars in military waste and fat.

Anti-Crime.

Point One - Violent Criminal Reform Sentencing: There shall be mandatory prison terms for convicted felons who have committed violent crimes that resulted in personal injury or death to another person. Such prisoners will not be released until it is certified that they no longer pose a threat of risk or injury to the public.

Point Two - Sentencing Reform for Non-Violent Criminals: Judges shall presume that first time, non-violent criminals shall not be sentenced to prisons, but to a substantial period of closely supervised probation. This probation will include a program of vocational and employment training to provide an effective rehabilitation.

Point Three - Expanded Vocational Training in Federal Prisons.

Point Four - Mandatory Jail Pending Criminal Appeals:

Any person who has been convicted of a felony shall be committed to prison or jail pending disposition of appeal.

Point Five - Judicial Reform and Work Standards: Federal judges and magistrates shall work no fewer than 40 hours per week and have four weeks vacation per year. Their work will take place in the appropriate courthouse and will be enforced by the presiding judge of each Federal Court. Salary deductions shall be assessed for violators.

Point Six - A Ban on the Manufacture and Sales of "Cop-Killer Bullets": The manufacture and sale of handgun bullets capable of piercing armored vests, of the style worn by police officers, shall be prohibited.

\$400,000

USD Law School Receives Grants

The University of San Diego School of Law recently received five grants totaling more than \$400,000 — the largest amount of grant money ever received at one time by the school, according to Sheldon Krantz, dean of the Law School.

"These funds are a signal from the granting organizations that USD's Law School is providing valuable and badly-needed public services through our various programs. We're very pleased to be able to serve our local communities in a variety of ways."

The five grants include:

- An award from the Weingart Foundation of \$189,500 to USD's Center for Public Interest Law for continuation of the Center's work of monitoring California state regulatory agencies.

- A \$170,000 grant from the San Diego Council to support neighborhood mediation centers in Golden Hill and Mira Mesa, part of the Law Center's programming.

- A \$54,000 grant from the Legal Services Corporation to establish a new law clinic in the South Bay region of San Diego County.

- A \$10,000 grant from Signal Companies to continue development and support of the Law School's Mexico-U.S. Law Institute.

- An \$8,500 grant from the Parker Foundation for continued support of the Law School's Linda Vista Legal Clinic.

Alumni Calendar

Class Reunions Being Planned

Reunion committees are currently forming for the classes of 60, 65, 70 & 75 — classes which will be celebrating reunions during 1985. If you are interested in becoming a member of YOUR reunion committee, or have suggestions, talents or facilities to offer, CONTACT YOUR ALUMNI OFFICE.

Alumni Board Elections

Ballots are currently in the mail for the Alumni Board of Directors elections for the 1984-85 term. Nominees represent 11 years of Law School graduates, and offer all alumni a variety of choices. BE SURE TO VOTE and RETURN YOUR BALLOT TO THE ALUMNI OFFICE.

Nuts 'N Bolts Seminars For Newer Practitioners

Seminars sponsored by the Alumni Association, with panel members drawn from the legal community, are being offered to newer practitioners this fall. The first seminar will take place on October 20. The topic will be Personal Injury Law. Additional seminars will be held on November 17, Domestic Law, and December 15, the rescheduled seminar on Defense of the Drinking Driver. These seminars are filling up quickly. To reserve your space, CONTACT THE ALUMNI OFFICE.

Recent Happenings

The Alumni Association recently sponsored its annual PADRES NITE versus the LA Dodgers. Although it was one of the few games the PADS lost to the Dodgers this year, the event itself was a success. The Alumni Association hopes to continue its growing tradition of alumni sponsored SPORTS NIGHTS with a SAN DIEGO SOCKERS NIGHT this winter. Watch your WOOLSAK for further details, or CONTACT YOUR ALUMNI OFFICE.

In its continuing effort to involve alumni in events, the Alumni Association also sponsored a recent SOCIAL HOUR at the Mission Valley El Torito. While there, and perhaps under the influence, a couple of alumni decided to run for election to the Board of Directors, & some GREAT ideas were generated for future events. The next SOCIAL HOUR will be held in the downtown area at a date to be determined.

The USD Alumni Association hosted a successful and well-attended reception at the recent State Bar Convention in Monterey. Alumni from around the state enjoyed the ambience, and talked about matters concerning their fellow alumni. The event was an undeniable success!

Class of 74 Reunion

The Class of 74 will hold its 10-year reunion this weekend, with a family picnic and sports day at the USD Sport Center on Saturday, October 13th, and an ADULTS ONLY evening at the Sheraton Harbor Island. The class representatives who chaired the event are looking forward to a great turnout and a lot of fun.

SAVE \$1000

Enroll in the California course by

November 16, 1984



Justice Stevens: Supreme Court "Wild Card"

by Roy Santonil, Assistant Editor

"The center is in control," wrote Woodward & Armstrong in *The Brethren*. The authors were characterizing the Supreme Court in terms of its newest justice, John Paul Stevens. Since then, Justice Sandra Day O'Connor has been appointed to the court, but Stevens nevertheless maintains his insistence on restrained, centrist jurisprudence.

Appointed to the Court in 1975, by President Ford, Justice Stevens succeeds Justice William O. Douglas in the chair once occupied by Justice Louis Brandeis. These Justices are often depicted as imaginative in their formulations of federal/constitutional law. Justice Stevens sits in sharp contrast to the other Justices, whose liberal or conservative tendencies are more clearly ascertainable. However, Stevens' opinions have aligned with both the Burger-Rehnquist conservative bloc as well as the more liberal Brennan-Marshall side.

Stevens brings to the court a keen awareness of lower court proceedings, thus, his opinions tend to give special deference to the Circuit Courts. "Appellate fact-finding" is, in Stevens' view, particularly undesirable. In the *National Law Journal* (August 1984), Stevens expressed his concern over the Supreme Courts' "emerging tendency to enlarge its involvement in litigation conducted by state courts" as well (emphasis added).

What characterizes Justice Stevens is an insistence on articulating his views: the supremacy of principle over policy. In their first terms, it was rare for new justices to be sole dissenters in major constitutional cases. Yet, in his first term and a half, Stevens wrote 17 separate concurrences and 27 separate dissents. Only twice did he dissent without any elaboration.

Because of Stevens' refusal to align one way or another politically, the ABA Standing Committee on the Federal Judiciary, along with six Harvard Law School professors concluded:

"Justice Stevens' opinions cover almost every field of federal law. The opinions are of consistently high quality... well written, highly analytical, closely researched, and meticulously prepared." Rather than close the doors of an overworked judiciary by rigorous standing requirements, Stevens prefers to shape procedural law to advance judicial economy.

Stevens' imaginative shaping of new doctrine along traditional values is well illustrated in *Brewer v. Williams* 430 U.S. 387 (1977), the "Christian burial speech" case. Justice Stevens' concurring opinion made a compelling case for the recognition of 6th amendment values, introducing a new perspective on the exclusion of statements taken from criminals.

Underlying this depiction of a justice with imagination is the unpredictability of opinions. He is not afraid to change his mind if the reasons for doing so are sound and principled. It is no wonder that John Paul Stevens' role as "the swing vote" will be considered more and more as a solid legal anchor in the ideological winds of Constitutional law.



The Hon. John Paul Stevens



Prof. Nathaniel Nathanson

MUSLI Building Comprehensive Mexican Law Library

By Julie R. Cardenas
Staff Writer

The Mexico-United States Institute (MUSLI), at San Diego is building the most complete and elaborate collection of works on Modern Mexican Law in the country. The collection will contain treatises, codes (federal, state, and municipal), court decision, encyclopedias and textbooks, (in both Spanish and English).

Dr. Jorge Carpizo made a donation to MUSLI of twenty separate monographs on different areas of the Mexican Law. The gift, free of all copyrights, will be used to further the development of relations between Mexico and the United States. Dr. Jorge Vargas, the Director of MUSLI, plans to translate the volumes into English and add much needed footnotes for American lawyers explaining the history and concepts underlying the codes.

A further goal is the creation of an electronic data bank containing selected areas of Mexican legislation in English. This would be readily available for American lawyers to consult in areas such as Mercantile Law, Immigration Law, Technology Transfer, Corporations and other areas.

San Diego is the ideal location for the institute because of Mexico's close proximity. Prof. Vargas, working with several Mexican Law Institutes, developed a network of communication between the countries. "MUSLI is a large step towards drawing Mexico and the United States together and developing better relations," said Vargas.

If you feel that you can be of help in furthering the efforts of the Mexican-United States Law Institute contact Dr. Vargas at USD's Guadalupe Hall, room 201 or call 260-4600.

Prof. Nathanson:

Renowned and Beloved

In 1977 Professor Nathaniel Nathanson became professor emeritus at Northwestern University School of Law following a career that began there as an assistant professor in 1963. He became a Distinguished Professor of Law at USD that year and until his death in 1983 spent alternate semesters at Northwestern and San Diego.

Professor Nathanson taught a variety of subjects and guest taught at a number of universities worldwide. He was an international authority on administrative law, constitutional law, civil liberties, and human rights, and authored or edited seven books.

He has published almost 100 major articles, reviews, and papers in these and other fields. He carried these interests to his extracurricular activities—in service to his government, the American Civil Liberties Union, the Anti-Defamation League of B'nai B'rith, and internationally with the Indian Law Institute, the Japanese-American Society for Legal Studies, and as consultant to the Constitutional Convention of Palau, Caroline Islands.

Born in New Haven, Connecticut on December 21, 1908, Professor Nathanson received the B.A. degree from Yale College (1929), the LL.B. from Yale Law School (1932), and the S.J.D. from Harvard Law School (1933). At Yale, he was editor-in-chief, of the *Yale Law Journal*, and was elected to the Order of the Coif.

"We must be doing something right"

"As the time approaches for a final parting, one becomes more acutely conscious of all the good things that one has for too long simply taken for granted... Naturally, I wonder how I will survive without all of these amenities; but I have no doubt that the Law School will survive... Though the mystery of teaching law may never be solved, so many varieties of the art will be practiced that surely any student with some natural affinity for the study, the practice or even the teaching of law, will find the key which will open a path to salvation. Some will find it in the rarified atmosphere of law review or journal writing, some in the grubbier but more realistic atmosphere of the legal clinics, some in the drama of moot court competition, some in the intensive, solitary splendor of Senior Research, and some even in the daily challenge of the Socratic Method. I am reinforced in this belief every time I stay down relatively late at School and walking through the Library after normal closing hours, see how many students are still immersed in their own projects, surrounded by mountains of books and papers. Somehow that always gives me a good feeling—the feeling that we must be doing something right, and that we are all in this together, though each in his own cubicle, each pursuing his own standard of excellence in his own peculiar way."

Prof. N. Nathanson

"The Mystery of Teaching Law"
A speech delivered at Northwestern Law School
October 5, 1976

MUSLI Bridges Gap

Mexico-US Ties Strengthened

By Julie R. Cardenas
Staff Writer

USD Law School created the Mexican-United States Law Institute, (MUSLI), to establish a bridge of communication between the two countries. The primary goal of MUSLI is to study analyze the Mexican legal system, and disseminate the information to legal institutions and official agencies of the United States.

MUSLI was established because its founders saw that the United States must become better informed about Mexico and Mexican laws. Currently Mexico's deficit is 90 billion dollars. Mexico owes approximately 99% of this debt to U.S. institutions. Consequently, banks must use the Mexican legal system in developing resolutions to this deficit. Investors looking for tax shelters also need to understand the Mexican culture, legal codes, and Constitution.

A major barrier exists because the latest English copy of the Mexican Constitution dates back to 1972. Mexico's President altered the codes and the constitution, and the United States does not possess a current copy. This results in major problems in negotiating with Mexican lawyers and officials. MUSLI plans to translate an updated version of the constitution of Mexico.

MUSLI will endeavor to establish dialogues through symposia and round table discussions on legal questions concerning industry, trade and agriculture, and border issues to aid

in the resolution of conflicts. Joint academic research projects and the exchange of faculty will also enhance the understanding of the two countries and their respective legal systems.

This past summer USD hosted an "Introductory Course to the United States Legal System" for Mexican lawyers, judges, and professors. The program's success accelerated the plans for this summer's program. MUSLI also is in the process of creating a program for an exchange of students with major Mexican law institutions.

Dr. Jorge Vargas, director of MUSLI, brings a wide range of experiences to the program, experience as a lawyer in Mexico, professor at UNAM and Iberoamerican University of Mexico, researcher, plus his consultation for the Mexican government. MUSLI, an infant institution, celebrated its first anniversary in September 1984, but current plans provide for continued growth and development of the program as part of USD Law School.

Next Month:

- Library News
- Stevens Visit
- Faculty Interview
- More Atkinson Humor
- Finals
- Lawyers Club of S.D.

Free Noon Concerts

Take note & tune in. The University of San Diego is holding a Fall Noon Concert series.

All concerts are open to the public, free of charge, and will be held in the French Parlor, Founders Hall at 12:00 noon.

Programs include classical, folk,

and bluegrass performers.

The next performance is October 18, and features 'Kendra and Barry', two slick Folk/Bluegrass artists.

Subsequent concerts are scheduled for Nov. 1 & 8, performers to be announced. For more information call the ASB Office, 260-4802.

Defenders, Inc. Offers Clerkship

Veronica Roesser of Defenders, Inc. has announced, through the student liaisons of Lawyers Club, that a volunteer law clerkship program is to be conducted by Defenders Inc. for second and third year students interested in criminal law. The duties

include research, writing, and attendance in court. Court work, other than observation, is available for those who qualify for certified law student status. Contact Ms. Roesser at 234-8741.

Pacifica Travel
YOUR COMPLETE TRAVEL SERVICE
AND AIRLINE TICKET OFFICE
• INSTANTLY CONFIRMED COMPUTERIZED
AIR, CAR AND HOTEL RESERVATIONS
SPECIALISTS IN MEXICO AND HAWAII
• ALL CRUISE LINES
• CLUB UNIVERSE
• CLUB MED



295-0202
No Service Charge

5103 LINDA VISTA ROAD
next to Presidio Garden Center



Ralph Nader Speaks at USD:

On Electioneering, Reagan, and the Citizen

By Stephan Cohn
for The Woolpack

On September 10, 1984, Ralph Nader came to USD's Manchester Hall and spoke about "Difference in '84," a grassroots political organization. Professor Bob Fellmeth introduced Nader as "a man who took his ninth grade civics class very seriously." That is where Nader began his talk, reminding us of our civic roles and duties as citizens in a democratic society.

For years Nader has been in the forefront of consumer activism and muckraking journalism. Since his early FTC investigations and "ban the Corvair" crusade, Nader has been a thorn in the side of socially irresponsible corporations, a politically-conscious conduit for many people. He is a citizen in the literal sense of one who politically responds to all aspects of his or her life. Nader's address stressed the importance of entering this year's Presidential campaign as citizens. He challenged our concepts of electioneering as practiced in America.

Recently, Nader has shifted his emphasis from national consumer advocate to grassroots political organizer. The advent of PIRG's (Public Interest Research Groups) in over half of the states testifies to the prolificness of his ideas. Like many liberals today faced with the possibilities of another Reagan term, Nader has focused his attention on the national election in November.

Nader explained the "political amnesia" that surrounds the upcoming presidential election. Through electronic campaigning, the candidates, the parties, and the monied-interests-that-be have transformed our political selection process into image making. Social, civil rights, education, and environmental issues have become, to Nader, subject to concentrated economic and political powers. Thus, these powers affect the perceived needs and rights of citizens, allowing demagoguery to prevail. In other words, says Nader, we've become a country of serfs. Our

needs have been determined by the economic decisions of a concentrated corporate economy. Why is it, he asks, that Americans ignore the blunders of the Reagan administration? (See, e.g., Ann Burford-Gorsuch, James Watt, Charles Wick, Ed Meese, Soviet-American relations, Central America, civil rights, hazardous wastes, fraudulent military expenditures, OSHA enforcement record, and deficit spending).

The imagery in presidential politics, says Nader, has led to a "teflon presidency," with increased evidence of demagoguery and irresponsibility. For example, by never openly discussing details, but instead using heroic phrases of reassurance and national pride, Reagan conveniently skirts any issue. Nader sees that both parties have become irresponsible. They don't raise the traditional questions and issues that we expect them to. For instance, the Democrats don't challenge Republicans for using free enterprise capitalism as a party slogan while

supporting corporate bailouts. And the Democrats have stopped challenging the Republicans about the maldistribution of wealth and power the Reagan administration flaunts.

Speaking to a group of mostly law students, Nader pointed out how a law school curriculum helps plan better for the dead than for preserving the earth and the living. Nader's curriculum would include classes on Professor Peterfreund's joke list, such as Food and the Law, and Corporate Crimes.

Ralph Nader's commitment to empowering people to improve the

quality of their communities is unceasing. His message was simple: citizens in our country need to spend more time being citizens. He works from a clear understanding of a principle — that the well-being of society springs from the growth of daily, active citizenship. Active citizenship provides a fertile environment for societal self-determination and the selection of effective leaders.

Those who wish to learn about "Difference in '84" can call 239-4600, the local number. Mark Litwack is the director.

P.A.D. Notepad . . .

by Erin Prouty

After initiating 16 new members on September 30th, Phi Alpha Delta Law Fraternity International has redirected its energies into planning community service and profes-

sionally-related events as well as developing job contacts for its members.

New members as of October 1, 1984: Terry Babilas, Jim Bellinson, Christopher Burke, Jennifer Conn, Susan Crane, Christopher Crowson, Matt Desmond, Glen Dryer, Melodie Grace, Rick Gullette.

Annette Harvey, Matt Kesner, Kathy Kline Rob Kovalsky Joseph Mueller, Sharon Peters, Bruce Rorty, Steven Tepper, Daniel Watkins, and Bruce Winkleman.

Anyone interested in joining Phi Alpha Delta can pick up an application outside the P.A.D. office on the first floor of the law school.

The fraternity is in the process of securing a guest speaker, possibly the highly controversial District Attorney Ira Reiner from Los Angeles, to speak at USD in November. Also in the works is the popular and annually successful "Career Night" which is to be co-sponsored with Women-In-Law. That event, scheduled for spring semester, will feature representatives from various areas of law as well as professionals from non-legal fields who will discuss the many job possibilities for law school graduates.

Another goal of Phi Alpha Delta is to increase visibility in the community at large, not only for the fraternity but also for the University. To effect this, community service activities will be organized, such as participation in the Channel 10 Christmas Toy Drive and a plan to send P.A.D. members to local high schools to talk to students about the pros and cons of going to law school.

P.A.D. will be placing a new emphasis on job placement for its members this year. "Phi Alpha Delta, being the largest law fraternity in the world, has access to an enormous network of career opportunities through its alumni," explained P.A.D. Justice Mike Corey. "We also plan to help our members by offering instruction on resume-writing and locating efficient and reasonably priced typing and word processing services."

P.A.D.'s presence on campus has been evident in years past by its many social events. In addition to "Rush" keggers and all-school parties, the ever-popular "Talent Night" is on the agenda again this year. Also, the student directory should be out in late October.

When asked to summarize the activities on the P.A.D. calendar for this year, the fraternity's Clerk, Erin Prouty, replied, "We are attempting to create a balance between professional, community service and social events so that we have something to offer everyone — members and non-members alike."

You'll get first hand experience in the courtroom right from the start. In three years, you could handle more than 3,000 cases in a wide variety of subjects from international to contracts to criminal law. If you think you have what

it takes to be a Marine Corps Officer and lawyer, talk with the Marine Corps Officer Selection Officer when he visits your campus.

**Have
190,000 clients
from the start.**

More than 190,000
Marines could use
your service.
We're looking for a few good men.



Marines

"The Marine Corps JAG needs first and second year students for the PLC-Law program. Call Capt. Bowen at 294-2174 or see him during on campus interviews Oct. 18."

EARLY ENROLLMENT DISCOUNT

SAVE \$200

**ENROLL IN BAR / BRI REVIEW BY
NOVEMBER 9, 1984
AND RECEIVE THE FOLLOWING DISCOUNTS:**

1. \$100 DISCOUNT OFF YOUR BAR REVIEW COURSE PRICE
2. FREE PREPARATION FOR THE MULTISTATE PROFESSIONAL RESPONSIBILITY EXAM (A \$100 SAVINGS)

CONTACT YOUR CAMPUS REPRESENTATIVE:

SANDRA FLANNERY	S'85	SANDRA DUNN	S'85	CRYSTAL CRAWFORD	S'86
JOSE MARTINEZ	S'85	ROXANNE PARKS	S'85	KATHY PAYNE	S'86
MELISSA CATES	S'85	MICHELLE MOEBIUS	S'85	THOMAS GRINDLE	S'86
JACKIE SALTIEL	S'85	SUE BRIDENBAUGH	S'85	ANNE WHITFIELD	S'86
J.D. EVANS	S'85	SCOTT DREHER	S'85	SCOTT ROWE	S'86
MICHELLE ANDRE	S'85	LINDA WORKMAN	S'86	CHERYL GEYERMAN	S'86
LYN ROSSI	S'85	KEVIN YOUNG	S'86	KARL TERK	S'87
BETH ISSACS	S'85	JANE LIEBERMAN	S'86	ROB NIESLEY	S'88
		JIM BROMMER	S'87	CARMEN NARANJO	S'87

OR LOCAL BAR/BRI OFFICE FOR MORE INFORMATION

1323 Second Avenue
San Diego, California 92101
(619) 236-0623

11801 West Olympic Boulevard
Los Angeles, California 90064
(213) 477-2542

352 Golden Gate Avenue
San Francisco, California 94102
(415) 441-5600

Notes & Announcements

Moot Court:

Chanos Wins Competition

Final Rounds in the Alumni Tort Competition were held in Grace courtroom on September 26, 1984. This competition was co-sponsored by the Alumni Association. CES/BRC provided a free bar review course to the first place winner.

Justice Gordon Cologne, Judge Ernest Borunda, Judge J. Richard Haden and Professor Paul Horton were the final round judges.

George Chanos won first place. Stephen Morris, Jennifer Kearns and Mark Siegal won second, third and fourth place, respectively. Jack "Attorney-Client-Champ" Boyce wrote the best respondents' brief.

Bruce Sherman wrote the best appellants' brief. Anthony Mahavier won best oralist. Congratulations to all the 1984 Alumni Tort winners.

The Jessup International Law Competition problem was handed out on October 4, 1984. The briefs are due on October 16. Oral arguments will be heard on October 23, 24 and 25. All second, third and fourth year students are encouraged to participate.

First year students are encouraged to act as bailiffs and timekeepers. If anyone has any questions concerning the International Law Competition please contact Ed Reilly or any other Moot Court Board member.



Finalists in the Alumni Tort Competition, 1 to 4, George Chanos, Steve Morris, Jennifer Kearns, and Mark Siegal.

Benefit Concert in North Hollywood

Lawyers in Love (with Music)

While some lawyers fulfill their obligation to society by representing the needy without charge, there are many others who realize they're best equipped to perform public service in other ways.

Some contribute money. Others participate in educational programs. And others rock out.

The latter is what this press release is about. A total of six — that's right, six — musical bands of Southern California lawyers, along with an attorney/fiddler, are teaming up in a special benefit concert No. 17 at The Palomino in North Hollywood to raise funds for the Valley Community Legal Foundation.

Lawyer rock bands participating in the concert include: The Advocates; Use a Guitar, Go to Prison; The Deputies; Law in Motion, and JustUs. Also featured are The Ellis Island Band, which plays authentic ethnic music, and fiddler Bob Gary.

All proceeds are to go to the Foundation which funds law student scholarships, legal services programs, and

other worthwhile projects.

Tickets for the concert are \$12.50 in advance and \$15 at the door. They may be obtained from the San Fernando Valley Bar Association office at 8134 Van Nuys Boulevard, Suite 100, Panorama City 91402 (818) 786-5055. Each ticketholder will be entitled to one free drink.

The festivities are scheduled to begin at 6 p.m. and go until approximately 2 a.m. A full bar and food menu will be available. The Palomino is located at 6907 Lankershim Blvd. in North Hollywood.

The concert will be emceed by Los Angeles Daily Journal columnist ("From the Courts") Milt Polizer.

Thomas More Society

Federal Judge To Speak

On Wednesday, October 17, The Thomas More Society will present Irma Gonzales, United States Magistrate of the Southern District of California. She will speak on her impressions of the change from attorney to judge.

Before her recent appointment to the bench, Ms. Gonzales had extensive experience in both civil and criminal practice. With this practice experience fresh in her memory she will deal with her personal and professional reflections on the transition

from the role of the advocate to the role of the decision maker. She will respond to questions from the audience.

The speech will be in the Grace Courtroom in the Law School at 8:00 p.m. Immediately following the meeting there will be a reception with wine and cheese in the Fletcher Lounge where students will be given a chance to meet and talk with practicing attorneys and judges in the San Diego legal community. All are welcome.

Women in Law:

Conference Planned

Representatives of Women-in-Law's Budget Committee appeared before the SBA Saturday, September 15th. Women-in-Law's (WIL) presentation and budget proposal was very well received.

A portion of this semester's budget is being used to send a WIL representative to the Far West Regional Conference October 12-14th. This year's conference is being held at Northwestern College of Law, Lewis and Clark College, Portland, Oregon. Look for a complete report in the next Woolpack.

The September 21st potluck held at Graduate Student Housing was a success. Hope to see more new faces next time! The next WIL meeting is calendared for Tuesday, October 23rd at 5 pm in room 3C. Free copies of the *Women's Rights* handbook (1983 ed.) prepared by the Attorney General's office and published by the California Department of Justice will be available so be sure to attend. Also, be sure to check the WIL bulletin board downstairs by the Placement office. For those of you with "spare time", the newly founded Berkeley Women's Law Law Library will provide a forum for the discussion of legal issues affecting women.

WIL wishes to welcome the 25 or more new volunteers to the Las Coli-

nas women's Detention Center Project for 1984-85. WIL supports the efforts of these volunteers in conjunction with the Women's Criminal defense Bar. The program is co-sponsored and coordinated through the USD Legal Clinics. More information is available from Ramona Shashnaani.

UPCOMING EVENTS

On October 17th at 5 p.m. in Fletcher Classroom, WIL will present "Managing Stress II". This semester's panel will focus on interpersonal relationships, juggling career, family AND school. The six-member panel will be comprised of attorneys, students and psychologists, both male and female. Everyone is encouraged to attend both the discussion and a reception immediately following in the recently redecorated Faculty Lounge. Evening students take note — you can attend, have a snack and still make class!

WIL has another speaking event planned for October 30th, location and time to be announced. A mixed panel of sole practitioners working in a variety of fields will focus on how they set up practice in San Diego. After introductory comments, the panel will open the floor to questions. A reception will follow. Watch the flyers!

S.D. Symphony Discounts

Get ready for a season of great music at fantastic savings! The San Diego Symphony will hold an on-campus subscription drive at the book store box office on October 15, 16 and 17. Students and Faculty/S-

taff will have the opportunity to save substantially over single ticket prices by buying a season subscription. Five, ten and 20 concert series are available. This offer will be good on those days ONLY, so be sure to stop by the box office and SAVE! The season begins November 8 with the incomparable Andrew Watts, piano, so plan on reserving your seats.

For more information, call Carol Brown at 239-9721.

Directories Available

Class of '87: Your "Entering Class Photo Albums" directories are available from Ms. Ina Levy in the Dean's office. All First-Year Day and Evening students are encouraged to hurry and pick up a copy.

Schwarzchild Promoted

Congratulations are in order for Prof. Maimon Schwarzchild, who was promoted to Associate Professor, effective Sept. 1.

P.R. Exam Deadline Approaches

The next Multistate Professional Responsibility Exam (MPRE) is November 16. The filing deadline is Friday, October 19. The cost for taking the exam is \$20. Applications may be obtained from the Records Office or from any Bar Bri student representative.



Papermate Pen
with any purchase

Compliments of

McDonald's
of

Linda Vista

Hamburger 39¢ Cheesburger 49¢

6945 Linda Vista Road
San Diego, CA 92111

Welcome to Linda Vista!

FOR COMPREHENSIVE COVERAGE OF THE
UNIFORM COMMERCIAL CODE...

Sum & Substance

Books and Audio Cassettes on:

- COMMERCIAL PAPER
- SALES
- SECURED TRANSACTIONS

Available at your local law bookstore!

or contact



Josephson Center for
Creative Educational Services
10101 W. Jefferson Boulevard
Culver City, CA 90230
(213) 558-3100

CRAM CARDS legal study flashcards

... because practice makes perfect.

COMING TO YOUR LOCAL LAW BOOKSTORE
IN OCTOBER.

or contact



Josephson Center for
Creative Educational Services
10101 W. Jefferson Boulevard
Culver City, CA 90230
(213) 558-3100

Student Interview:

Brad Schwartz—"El Uno"

By Carmen Naranjo
Staff Writer

USD Law's "Numero Uno", third year student, Brad Schwartz, remembers back to his first week in law school when he was called upon to brief a case. The prof made light of his brief and Brooklyn accent by his comment "What's this, Rocky goes to law school?" This sarcastic remark was fuel to Schwartz' drive to be number one, to prove that despite the odds against success in law school he would triumph over adversity and shine brilliantly.

At age 17 Schwartz left home to study at San Diego State University. He looks back and realizes what a major decision this was, one that in many ways changed his life. He also remembers how hard it was for people to leave the old neighborhood, and the culture-shock he felt when he arrived in Southern California.

Schwartz was encouraged in his decision by family and friends. His father, who never had the opportunity to get an education himself, stressed to Brad the importance in obtaining a degree. Brad worked his way through school at various jobs such as construction worker, security guard, and busboy. (Quite a difference from his job last summer with the prestigious law firm of Gibson, Dunn & Crutcher.)

Now that he is in his last year at USD law school I asked Brad at a recent interview for his feelings on his law school career.

W: Brad, as you near graduation, I wonder if there is any advice you can give to people just starting out in law school?

S: It's hard to say because different things work for different people, and everybody will tell you his own philosophy. The way I did it would probably be different than what your professors would tell you, and might not work for you. It comes down to finding what works best for you, and not worrying that the guy next to you types up his briefs and uses a lot of big words in class.

Having said that, I do have one piece of advice. Don't make law school your whole life, and separate law school from your outside life. Too many first years go out on a Saturday night and talk about all the work they have to do the next day. They don't enjoy themselves and are not getting any work done. I found that as a first year student that because I spent time at my job and doing other things, I could study very hard when I study.

W: To have obtained the success you have enjoyed in law school you must get motivation from somewhere. What drives you on?

S: I think a lot of it is just something I feel inside. I've always been competitive and had a desire to succeed. I remember also getting motivation from going back to my old neighborhood for the summers. For many years I felt when I was burning out I needed to get back. Something I did the last time I was at home, which some people don't understand, is take pictures of things like the subway I used to ride and the street corner I used to hang out on. I still have these pictures and they mean a lot to me.

W: How do you feel about the education you received at USD and about your fellow classmates?

S: I think we get a good legal education here, but I am disappointed in USD's reputation, or lack of it outside of the San Diego community. While things seem to be getting better, it is unfortunate that with all the capable students we have more firms don't recruit here.

I have a lot of respect for many of my classmates, and of course many of them are my friends. Having worked this summer with top students from Harvard, Yale, Stanford etc., I am confident that our students can compete with any others.

W: How did you feel about working at Gibson, Dunn & Crutcher?
S: I am very high on the firm and can't think of a better place to work. What it really comes down to is the people. It has the prestige, power, money and major clients etc., but I really made my choice on the people. They are the type I would choose as my friends even if I didn't work there. That is very important when you consider the many hours you're going to spend with them. I liked the way the lawyers helped each other out with problems within their area of expertise, and I liked the fact that the biggest people in the firm were still friendly and considerate. I do realize that the winning and dining I received this summer, will stop when I start for real, but it did leave me with a good impression of the firm.

W: What are your feelings on this year's Law Review Board?

S: I probably shouldn't say anything nice about these people after all the teasing I've been getting about my life story being printed in the Hearsay, and now this. In all honesty, though, I am very happy with the Board and the Board members, although it's been more work than I expected it to be. There are a lot of bright and talented people on the Board, with a sense of humor, I think is the only thing that got us through the writing competition. There are also a lot of big egos on the Board but because we pretty much like each other we are able to work together. I believe the harmony we have can also be attributed to effective leadership from June (Editor in Chief) Fisher and Julie (Exec. Comments Editor). They don't try to cram things down people's throats, which would never work with the people we have, but instead let different people take leadership roles, and allow everybody to express their opinions.

W: You've had a lot of publicity lately with stories about you in the Hearsay. How do you feel about it and how's the "I Wanna Marry Brad Contest" going?

S: Being one who tries to avoid the limelight, I had some reservations at first, but I really don't mind at all. Tim and the Hearsay editors are very creative and have written some funny stuff. Besides, because I dish it out, I have to be able to take it back.

Next Month—Law Athletes

John Van de Kamp

Attorney General Protects Resources

By Ralph Botros
Staff Writer

John Van de Kamp, Attorney General for the State of California, spoke at USD on the role of his office in enforcing environmental laws. Three major topics were the subject of his 2-hour presentation, including the enforcement of toxic waste laws, enforcement of laws protecting California's coastline, and protection, through litigation, of one of California's most precious resources, Lake Tahoe.

"The most serious environmental issue of the 80's is the problem of toxic wastes and hazardous substances. It ultimately expresses itself with this moral question — who should bear the cost of cleaning up waste sites that threaten our environment?"

CERCLA, the Comprehensive Environmental Responsibilities Compensation and Liability Act, or the Federal Superfund Act established a \$1.6 billion fund to clean-up abandoned and inactive toxic waste sites. California has also passed a state Superfund Act analogous to CERCLA. The vehicle used to recover monies is the strict liability provision imposed against owners, operators, transporters of the toxic substances. "Thus we get to the key

issue of this debate, does CERCLA impose retroactive liability, and if so, whether it is constitutional under Due Process Clause of the Federal Constitution," the Attorney General continued. "Of course, private companies that generated the hazardous substances, transporters and owners & operators claim that CERCLA is unconstitutionally retroactive." Van de Kamp asserted that it is not.

"One of the first major Superfund actions" stated the AG, "was the Stringfellow case still pending before the courts." There the AG independently and representing the department of health services, along with the U.S. government brought an action to require cleanup of an abandoned waste site in Riverside county.

The defendants included 18 companies that generated the substances, four transporters who hauled the wastes, and the owners and operators of the sites. "If the liability provisions of recent statutes are held not to apply to generators & transporters of the past," continued the AG, "the private sector will largely escape liability for the harms caused by industry from which it profited."

The AG cited *Pension Benefit Guaranty Corp. v. R.A. Gray Co and Uesry v. Turner Elkhorn Mining*

Co as two supreme court opinions that stand for the proposition that "retroactive application of legislation adjusting economic burdens and benefits is constitutional as long as it is justified by a rational legislative purpose."

The AG feels that Congress created a liability scheme without regard to fault to hold those who profited from the business of generating, transporting and disposing of hazardous waste responsible for their actions. Thus the "purpose of CERCLA in the minds of Congress," said Van de Kamp is "to pass on the costs of abating dangerous conditions at abandoned waste sites to those enterprises who profited."

The AG's next topic was the Outer Continental Shelf (OCS) oil and gas lease sales. "The consequences of OCS development," he continued, "are not limited to oil spills, but also include air pollutants from platforms, interference with commercial and sportfishing and land use problem from the onshore support facilities and processing facilities."

The controversy begins when the federal government sells leases of tracts as close as three miles from shore thus posing a threat to marine

(continued on page 12)

Atkinson

Swap Meet Mixes Past & Present

by Reilly Atkinson
Staff Writer

Have you gone to the swap meet at the Sports Arena parking lot lately? Most people I've talked to have not. In fact, about as many people have gone to the swap-meet as have gone to Sea World. Obviously this is a provincially apathetic crowd content to hit Robertos at midnight and call it cultural interaction.

The swap-meet is old world traditions meshing with today's bargain hunters. This means a place where a person can equip a kitchen for less than \$20. I just moved into a place with no kitchen equipment except diet-Pepsi and colon cleaner. I looked at Target, Ralphs and Pic-N-Sav, all the supposed bargain centers. With ten dollar price tags for cutting boards I call them rip-off centers.

I awoke early Sunday at 11:00. Armed with 20 dollars I paid my 60 cents admission fee and began my search. I found a sauce pan for \$2.50, 4 coffee cups for a buck and a cutting board for 50 cents.

My four-slice bread toaster was an unbelievable \$2. I should mention that the people selling the goods are usually clueless as to their value. They've cleaned out their kitchen cupboards and garage, rented a space at the meet and spread the goods all over a dirty blanket. What is the current market value of a toaster that looks ten years old? I figured a reasonable price was \$2.

The vendor insisted the toaster was worth \$4 and she would not take a penny less. I told her this would be a straight cash transaction no credit cards or annoying personal checks. She was about to throw me off her blanket when her husband (diligently sucking on a Coors) interjected. He would take it—anything for that ugly thing if I was fool enough to buy it. She started yelling at him. I gave their kid \$2, took my toaster and left.

I still had mega-bucks to spend. I bought a frying pan, ladle and platter for thirty cents. The vendor also talked me into a cast iron pan for a buck. He said if I soak it in lye the

black crud will come off. What the hell, I was rich. Next I bought some mini-donuts and contemplated what else my empty kitchen would need. What else but a large sauce pan for boiling pasta, steaming veggies and soaking my feet when I step on a nail or cactus.

I shopped around and found prices were high - at least \$7. Also, anyone who was selling a large stainless steel pan was practically foaming at the mouth about how great they are and if you but it at Target the price will be at least \$30, etc., etc. I needed a desperate vendor on the brink of bankruptcy with no knowledge of large stainless steel pans.

I thought I saw my person by an old pickup truck. The collection of junk around the truck was incredible: old model T parts, bicycle

wheels, VW engines and in the back by the antler horns was a large stainless steel pan. I figured these guys are old car freaks; what can they know? I asked the guy. He spit once, belched and said "\$15; it's stainless steel. If you buy it at Ralphs the price will be at least \$25 ... etc., etc." I finally found what I wanted at the under-weather section. The vendor was willing to take anything for anything. I gave him \$5 for a big pot and he threw in a pair of boxer shorts.

If you need pants, bathing suits, car stereos, futons, contact lens cleaner, porno magazines, pistachios or a spinal cord examination then this is your place. At the rate this school's tuition rate is climbing, I'm sure I'll see more of you down here soon selling old toasters and horn books.

Featuring
Unisex Designs
for
Men and Women

Kirby's Hair Styling

Shampoo & Haircut

Special

\$8.00

6937 Linda Vista Rd., Suite D

(Next to Safeway)

277-2816



Simmons Gears For Final Campaign Push

"We almost certainly won't get the results until after the election," Simmons notes. "Everything relating to such a complaint is cloaked in secrecy — hearings, responses. It's all private until the F.E.C. announces its decision."

Simmons went on, "There seems to be an enormous amount of mutual back-scratching in Washington. It is not Republicans versus Democrats. Rather, it's incumbents versus everyone else, including voters. Politicians are primarily concerned with getting themselves reelected, instead of solving problems."

Win or lose, Simmons is firm in the belief that election reform is long overdue, and that changes should be made in campaign financing laws.

"We used to pride ourselves on the fact that anyone could run for office in this country. But incumbents make that almost impossible. A representative's term should be increased to about 3 or 4 years, so our elected officials can have at least 2 years to concentrate on the issues before them."

Simmons has geared his October campaign blitz towards making the

public more aware of his stands on the major issues such as the nuclear arms race, the budget deficits, and senior citizen care.

"Bill Lowery has voted for increases in the Medicare premiums," continues Simmons. "Some of our elderly can't pay for needed medical care, nor can they afford housing. Rental housing for seniors is scarce — as a result they're being forced into nursing homes, which is the last place they want to be."

As for nuclear war, Simmons is blunt. "We can end all wars, or face extinction," he says. "This genera-

tion has a unique chance, unlike prior generations, to choose between the two. We must have a nuclear freeze, now."

"Rep. Lowery has stated that he wants a balanced budget," asserts Simmons. "But look — 119 bills he supported or sponsored increased the federal debt. Only 13 had the opposite effect. And 59 reduced federal receipts by creating new tax loopholes for many of the corporations that gave him campaign money."

"Never in our history has a federal debt declined once it existed.

For college-age people, that means more and increasing taxes, no matter who wins, for the rest of their lives."

"A campaign such as mine is difficult," Simmons said. "It's a scramble, because challengers don't have the nearly unlimited money and media exposure and access as do incumbents."

"The polls show us a bit behind Rep. Lowery, now," he added, "but it's a long way until November 6, and with some more hard work we can win this election. And then the real work begins."

Bankruptcy Law Challenged

by Kathy Hamilton
San Diego Law Review

The Reagan administration has requested that a federal district judge declare a portion of the recently amended Bankruptcy Code unconstitutional.

The controversial legislation was enacted to resolve a two-year-long debate over the structure of the federal bankruptcy courts brought about when the Supreme Court found the Bankruptcy Reform Act of 1978 unconstitutional. (*Northern Pipeline Construction Co. v. Marathon Pipeline Co.*, 458 U.S. 50 (1982)). The Court ruled that the 1978 Act gave too much power to judges who were not fully independent without giving them Article III

protections guaranteed to other federal judges.

After *Marathon Pipeline*, Congress grappled with the task of revamping the bankruptcy system while, in the meantime, granting a series of temporary extensions which kept bankruptcy courts in operation and allowed bankruptcy judges to serve temporarily as "consultants."

A compromise agreement was finally reached after prolonged debate and a frantic late night session the day before both Houses adjourned for July recess. The bill was signed by the president on July 20, 1984.

In a nutshell, the bill:

(1) limits the power of bankruptcy judges by removing their authority

over nonbankruptcy issues, which the Supreme Court said must be the province of judges with lifetime tenure;

(2) authorizes 85 new federal judgeships — 24 in the court of appeals and 61 in the district court; and

(3) designates 232 bankruptcy judges to serve as adjuncts to the district courts for 14-year terms.

Although originally enacted to resolve the *Marathon Pipeline* controversy, the bill became a vehicle for other zealously-lobbied changes in the bankruptcy law. The most hotly debated provisions turned out to be those involving labor relations between bankrupt companies and their employees. It was those provisions which brought both Houses to a stalemate on the eve before the bill's passage.

The compromise agreement overturned a one-month old decision by the Supreme Court that eased the way for companies reorganizing under Chapter 11 to abrogate their labor contracts. (*N.L.R.B. v. Bildisco & Bildisco*, 104 S. Ct. 1188 (1984)). The bill made repudiation of labor contracts more difficult by:

(1) mandating that companies must obtain court approval before abrogating their labor contracts; and

(2) specifying that companies may not repudiate their labor contracts unless the equities clearly favor rejection.

The bill was a victory for organized labor on an issue that labor had declared to be its top lobbying priority for the year. Its passage came too late, however, to rescue the federal bankruptcy courts from legal limbo. Since the bill was enacted after the expiration of the last extension giving bankruptcy courts authority to remain in operation, the commission of every sitting bankruptcy judge also expired.

The Justice Department argues that the present bankruptcy system is unconstitutional because the bankruptcy judges ceased to be public officers and became private citizens when their commissions expired. The Department asserts that those judges may only be restored to their positions by new appointment which is beyond the constitutional powers of Congress.

Judge Robert Schnacke heard those arguments on September 21, 1984, in the case of *Alexandra Benny*. Regardless of his ultimate decision and in spite of those who hailed the new bill as an end to the two-year struggle, it appears that an end to the bankruptcy system's woes is not yet in sight.



Remodeling continues in Law School: Rm. 2A facelift nearly complete.

Letter:

Tongue-In-Cheek To Atkinson

Dear Mr. Atkinson:

I seriously doubt whether you will ever be entirely able to adopt a "gothic starkness" in the manner of a professor; so, don't worry yourself over the possibility of an attitude transformation.

Your witty conclusions on the motives for attending USD Law School — the beach and the breads — avoid alternative motives. USD is a seductive school in and of itself. Do not put it down lightly. In addition to USD's high quality faculty, the architectural aesthetics are desirable. And the students, on the whole, are a respectable group. Perhaps "the waves" contribute to a decision to attend USD, but for many, they are hardly the central consideration.

Regardless of your first-year status (for I am also a "First Year"), per-

haps you will soon come to respect USD for its contribution to your character, assuming you learn to appreciate school spirit (meaning more than social spirit). I doubt our professors will force you to think with austere precision, although I do hope you come to think of our school as more than a mere beach fixture. If not, you may spend many hours poring over *Gilberts*.

Well Charles, welcome to USD. In law school there will always be a fresh argument lying around, so choose your words with all the due care of a prudent writer. Tell what you mean, why, and *always* anticipate alternative conclusions (in the fashion of the Socratic method).

Sincerely,

Alison Isadora "Just another First Year" Frutkin

—continued from page 1

USD Reporter Cited by Court

of an advisory board to the State Banking Department which would consist of public and banking representatives. The Board would accept public testimony and make recommendations to the Superintendent of Banks. Currently it is difficult for the public to have any input into banking decisions because the Department holds no public meetings.

A major project involves eliminating the State Bar's exemption from the Public Records Act and Open Meetings Act, legislation with which virtually all other state agencies must comply.

Another student project has resulted in the rare opportunity of submitting an amicus curiae brief to the California Court of Appeals, Third district. That student is now

preparing for oral argument before the court. The case deals with the New Motor Vehicle Board — a controversial regulatory agency whose validity is highly questioned.

Several other projects focus on implementing model legislation and enforcing the Administrative Procedure Act.

During the spring registration period, the Center will accept applications from and interview first-year students who want to participate in the program beginning in their second year. Details will appear in registration packs and in the *Wool-sack*. Application information may also be obtained from the Center which is located in Guadalupe Hall, Room 205. The phone number is 260-4806.

—continued from page 2

Santonil:

Faith Needs Equal Time

church and state, the President stands in favor of a much-needed breach ... simple, voluntary, after-school access. For all the "establishment clause" rhetoric, can't we give the "free exercise" clause some equal time?

The issue is not concerned with the government-sponsored proselytizing envisioned by critics. The issue concerns government sponsored denial of free association and assembly rights. The President's position and

the position of many Congressional leaders is that public schools can and should be able to accommodate the free exercise of faith.

It is a small concession to allow people seeking truth to meet and discuss its practical application. What's all the fuss? At best, one's desire for the good may be translated into daily life, prompting those around us to desire as well. At worse, this desire will be squelched in the name of "proper public education."

Law Students
You're Invited to

PARTY HARDY!!

Every Thursday Night
(U.S.D. Specials)

Pitcher of Beer \$1⁹⁵
Rum 'n Coke 75¢

at

O'Connell's Sports Lounge

1310 Morena Blvd. (at Sea World Dr.)

Ping Pong • Pool • Darts • Pinball • Electronic Games

WANT TO JOIN USD JAZZ ENSEMBLE?

Call Dr. Spanis,
Ext. 4463 or 273-1073

Woolsack Sports

Volleyball Nets Fun

By Erin Prouty

One of the first sights a San Diego tourist sees is the famous Southern California beaches, complete with water skiing, windsurfing and sailing. One can't help but notice the presence of volleyball courts scattered along the coastline, with two-person teams battling it out as if they were playing for a gold medal.

To the tourist, who might have had a volleyball P.E. class in high school, 'beach doubles' is a new phenomenon, and San Diego certainly has its share of top-rated players.

Inspired by the recent gold-medal performance of the United States men's team, which trained in Balboa Park, many San Diegans have taken to the sand courts in an attempt to break in to the professional beach tournament circuit. Top prize money in the men's tournaments is over \$20,000.00 to a winning team. These large purses have lured many of the best indoor players from the gym to try their hands at the more demanding beach doubles game.

For a handful of players, the professional summer tournaments generate enough income to live comfortably year-round. Many players also pursue modeling or acting careers in the off season, or play in semi-pro indoor leagues in Italy, Japan, Switzerland or Germany. What was once a casual, recreational game has developed into an alluring professional sport.

Despite the commercialism of upper-level beach volleyball, the average law student can still enjoy an afternoon in the sun playing volleyball with friends. There are plenty of courts along Mission Beach and Ocean Beach, with nets provided by the City. South Mission Beach (south of the roller coaster) tends to be the most popular area for volleyball. On weekends it is rare to find an empty court, let alone one with less than three games waiting. However, on week days courts are plentiful. If the wind picks up, the bay side has additional courts with a wind block provided by buildings.



The Ballbusters, led by Captain Kelly Salt, recently scored an inspirational last-inning comeback victory over Team X.

No day of volleyball is complete without relaxing at the local watering hole, the Pennant, located in the center of South Mission Beach on Mission Blvd.

—continued from page 10

Attorney General Van de Kamp ...

mammals in state waters, commercial fishing, tourism and recreational activities. The state agencies in conjunction with the AG attempt to delete such contracts. Conflicts arise when the department of Interior refuses to delete such tracts.

For purposes of illustration the

AG spoke about lease sale 53, where although the state of California lost, the AG is still urging Congress to correct this 5 to 4 Supreme Court decision. The dispute in this case," he said, "was whether sale 53, or any other OCS lease sale, directly affects the coastal zone and thus triggers

person to six-person teams. All of the intramural volleyball tournaments are open to law students. In fact, law students have dominated volleyball intramurals in recent years.

consistency review under section 307 (c) (1) of the Coastal Zone Management Act" (CZMA). The consistency provision in the CZMA requires federal agencies conducting activities directly affecting the coastal zone to conduct their activities in a manner consistent with state coastal programs.

The Supreme Court reversing the Ninth Circuit and District court held that lease sales cannot directly affect the coastal zone and thus cannot trigger the consistency requirements. The AG quoted this court as in effect saying that no part of the CZMA was to reach beyond the three mile territorial limit and that section 307 (c) (1) was aimed only at federal activities occurring on federal lands physically situated within the coastal zone. "The result has a devastating effect on state coastal programs, we are urging the legislature to overrule this opinion," Van de Kamp stated.

One month after the opinion, legislation has been introduced in Congress bills (H.R. 4589 S. 2324) that make clear that "federal activities outside the coastal zone including OCS lease sale are subject to section 307(c) (1) if they cause significant impacts on the coastal zone."

The AG also discussed the environmental decline of Lake Tahoe and his effort toward progress in that region. Because of the numerous overlapping local government interests California and Nevada entered into an agreement to establish a bi-state agency that would have jurisdiction over the entire region, Tahoe Regional Planning Agency (TRPA). "The initial plan set out by this agency was environmentally sound. It protected Lake Tahoe while allowing appropriate new growth—the Bailey system. "Local and pro-growth forces in Nevada, however, promptly settled the plan and TRPA adopted a regional plan that largely ignored the Bailey system."

Faced with a federal drive that would make Tahoe a national scenic area, Nevada members began to listen to negotiations. In 1982 TRPA looked like it would adopt the Bailey system once more. In 1983 the AB stated that as he took office he discovered that the agency was proposing a plan that ran directly counter to the 1980 compact. But by 1984 the AG was forced to obtain a temporary restraining order against TRPA' prohibiting any new construction. On June 15 a motion for preliminary injunction was granted. TRPA is appealing the decision. Basically the AG has insisted on four fundamental points: 1, an integrated plan including land use and implementing ordinances, 2, land classification system, 3, monitoring system and 4, some program to reverse the environmental decline.

FLEMINGS' FUNDAMENTALS OF LAW LEGAL EXAMINATION REVIEW SEMINARS

FFOL PREPARATORY SEMINARS INCLUDE:

- Legal Examination Writing Workshop
- First & Second Year Final Examination Reviews
 - ✱ Seminars to be held in San Diego on November 17/18
- Baby Bar Examination Review
- Long Term Bar Review
- Short Term Bar Review
 - ✱ Begins January 5, 1985 for February 1985 California Bar Exam
- Summer Final Examination Reviews

For information regarding the course or registration procedures, please write or call:

FLEMINGS'-FUNDAMENTALS OF LAW

Administrative Offices

19749 Inverness Lane
Huntington Beach, CA 92646
(714) 963-2668

LEARN TO WRITE . . . THE RIGHT WAY